

# Major Service Categories and Settings

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## Office of Developmental Programs (ODP)

### *Provider Owned and/or Operated Settings*

Community Participation Support/Day Habilitation services provides opportunities and support for community inclusion and building interest in and developing skills and potential for competitive integrated employment. Community Participation Support/Day Habilitation should result in active, valued participation in a broad range of integrated activities that build on the individual's interests, preferences, gifts, and strengths while reflecting their desired outcomes related to employment, community involvement and membership. To achieve this, each individual must be offered opportunities and needed support to participate in community activities that are consistent with the individual's preferences, choices and interests.

Community Participation Support/Day Habilitation may be rendered in integrated community settings and facilities licensed under 55 Pa. Code Chapter 2380 (relating to Adult Training Facilities) and 55 Pa. Code Chapter 2390 (relating to Vocational Facilities), and 6 Pa. Code Chapter 11 (Older Adult Daily Living Centers) as shown in the table below.

	<b>Consolidated Waiver</b>	<b>Community Living Waiver</b>	<b>Person/Family Directed Support Waiver</b>	<b>Adult Autism Waiver</b>
<b>Licensed Adult Training Facilities</b>	X	X	X	X
<b>Licensed Vocational Facilities</b>	X	X	X	
<b>Licensed Older Adult Daily Living Centers</b>	X	X	X	
<b>Integrated Community Settings</b>	X	X	X	X

The Community Participation Support/Day Habilitation service, provider, and location where services are rendered must be authorized on each person's Individual Support Plan (ISP) to be reimbursed through the waivers. Procedure codes that specify whether services are rendered in integrated community settings or facility settings must also be authorized on each person's ISP. ODP collects the ISP authorization information and provider billing information to ensure each provider is monitored through the Quality Assessment and Improvement process once every three years. Additionally, as the entity responsible for licensing, ODP maintains information about each licensed facility to ensure a licensing inspection is completed. Licensing regulations apply regardless of how services in the facility are funded.

Community Participation Support may not be provided in a licensed facility that enrolls on or after February 1, 2020, in a location that is adjacent to, attached to or located in the same building as any of the following regardless of the funding source of the individuals served:

- Hospital (medical or psychiatric).
- Skilled Nursing Facility (55 Pa. Code Chapters 201 through 211).
- Licensed public or private Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/ID) (55 Pa. Code Chapter 6600) or Intermediate Care Facilities for Individuals with Other Related Conditions (ICF/ORC).
- Licensed Child Residential Services (55 Pa. Code Chapter 3800).
- Licensed Community Residential Rehabilitation Services for the Mentally Ill (CRRS) (55 Pa. Code Chapter 5310).
- Licensed Personal Care Homes (55 Pa. Code Chapter 2600).
- Licensed Assisted Living Residences (55 pa. Code Chapter 2800).
- Unlicensed or Licensed Family Living Homes (55 Pa. Code Chapter 6500).
- Unlicensed or Licensed Community Homes for Individuals with an Intellectual Disability or Autism (55 Pa. Code Chapter 6400).
- Licensed Adult Training Facilities (55 Pa. Code Chapter 2380).
- Licensed Vocational Facilities (55 Pa. Code Chapter 2390).
- Licensed Older Adult Daily Living Centers (6 Pa. Code Chapter 11).

Residential Habilitation services are direct and indirect services provided to individuals who live in licensed or unlicensed provider owned, rented or leased residential settings. This service is built on the principle that every individual has the capacity to engage in lifelong learning. As such, through the provision of this service, individuals will acquire, maintain, or improve skills necessary to live in the community, to live more independently, and to participate meaningfully in community life. To the extent that Residential Habilitation is provided in community settings outside of the residence, the settings must be inclusive rather than segregated.

Residential Habilitation services are available in provider owned or operated locations in the Consolidated, Community Living and Adult Autism Waivers as shown in the table below.

	<b>Consolidated Waiver</b>	<b>Community Living Waiver</b>	<b>Adult Autism Waiver</b>
<b>Child Residential Services (the residential section of 55 Pa. Code Chapter 3800)</b>	X		
<b>Community Residential Rehabilitation Services for the Mentally Ill (55 Pa. Code Chapter 5310)</b>	X		
<b>Community Homes for Individuals with an Intellectual Disability or Autism (55 Pa. Code Chapter 6400)</b>	X		X
<b>Unlicensed Residential Habilitation Homes (The 55 Pa. Code §6400.3(f)(7) licensing regulations exclude community homes that serve 3 or fewer individuals with an intellectual disability or autism 18 years of age or older who need a yearly average of 30 hours or less of direct staff contact per week per home)</b>	X	X	

Life Sharing services are provider managed services that occur in one of the following locations:

- Private home of a host family. The host family can be the individual's relative(s), legal guardian, or persons who are not related to the individual.
- Private home of the individual where a host family who is not related to the individual moves into the individual's home and shares the individual's home as their primary residence.

Homes privately leased or owned by individuals or related caregivers are not required to be licensed under 55 Pa. Code Chapter 6500 and are referred to as unlicensed life sharing homes.

This service is built on the principle that every individual has the capacity to engage in lifelong learning. As such, through the provision of this service, individuals will acquire, maintain, or improve skills necessary to live in the community, to live more independently, and to participate meaningfully in community life. To the extent that Life Sharing is provided in community settings outside of the residence, the settings must be inclusive rather than segregated.

Life Sharing services are available in provider operated locations in the Consolidated, Community Living, and Adult Autism Waivers as shown in the table below.

	<b>Consolidated Waiver</b>	<b>Community Living Waiver</b>	<b>Adult Autism Waiver</b>
<b>Licensed Life Sharing Home (55 Pa. Code 6500)</b>	X	X	X
<b>Unlicensed Life Sharing Home (The 55 Pa. Code 6500.3(f) regulations exclude private homes of persons providing care to a relative with an intellectual disability or autism and homes where individuals need a yearly average of 30 hours less of direct training and assistance per week per home from licensing requirements)</b>	X	X	

All homes where Residential Habilitation or Life Sharing services are rendered through the waivers must be integrated and dispersed in the community in noncontiguous locations and may not be located on campus settings. To meet this requirement, the location of each Life Sharing home must be separate from any other ODP-funded residential setting and must be dispersed in the community and not surrounded by other ODP-funded residential settings. Homes that share only one common party wall are not considered contiguous. All homes should be located in the community and surrounded by the general public. New homes where Life Sharing will be provided or changes to existing Life Sharing homes must be approved by ODP or its designee utilizing the ODP residential setting criteria. Residential Habilitation and Life Sharing may not be provided in a home enrolled on or after February 1, 2020, that is adjacent to any of the following regardless of the funding source of the individuals served:

- Licensed public and private ICF/ID or ICF/ORC (55 Pa. Code Chapter 6600)
- Licensed Personal Care Homes (55 Pa. Code Chapter 2600)
- Licensed Assisted Living Residences (55 Pa. Code Chapter 2800)
- Licensed Adult Training Facilities (55 Pa. Code Chapter 2380)
- Licensed Vocational Facilities (55 Pa. Code Chapter 2390)

- Licensed Older Adult Daily Living Centers (6 Pa. Code Chapter 11)

Exceptions are allowed for Residential Service locations to share one common party wall with one other Residential Service location funded through ODP's waivers in the form of a duplex, two bilevel units, and two side-by-side apartments. This exception does not extend to Residential Service locations that are not funded through ODP's waivers.

The Residential Habilitation or Life Sharing service, provider, and location where services are rendered must be authorized on each person's ISP to be reimbursed through the waivers. ODP collects the ISP authorization information and provider billing information to ensure each provider is monitored through the Quality Assessment and Improvement process once every three years. Additionally, as the entity responsible for licensing, ODP maintains information about each licensed facility to ensure a licensing inspection is completed. Licensing regulations apply regardless of how services in the home are funded.

#### *Private Homes and Integrated Community Locations*

All other waiver services, with the exception of Respite, are required to be rendered in a private home where the individual lives or integrated community locations, including the individual's place of competitive integrated employment. Waiver funding cannot be used to provide any service in any private home purchased for, developed for or promoted as serving people with an intellectual disability and/or autism in a manner that isolates or segregates the individual from the community of individuals not receiving waiver services. Further, waiver funding cannot be used to provide any service in a private home that has the effect of isolating the individual from the broader community of individuals not receiving waiver services as evidenced by any of the following:

- Due to the design or model of service provision, individuals have limited, if any, opportunities for interaction in and with the broader community, including with individuals not receiving waiver services;
- The individual's choice to receive services or engage in activities outside of the home is restricted; or
- The home is physically located separate and apart from the broader community and does not facilitate opportunities for the individual to access the broader community and participate in community services, consistent with the individual's ISP.

Each service, including the provider of the service, must be authorized on each person's ISP to be reimbursed through the waivers. ODP collects the ISP authorization information and provider billing information to ensure each provider is monitored through the Quality Assessment and Improvement process once every three years.

#### Office of Child Development and Early Learning (OCDEL)

Because the infants and toddlers served in the ITF Waiver live and receive services primarily in their own private homes, or in a community setting that is typical for the

child's age peers where children without a disability are likely to be, OCDEL presumes that all services provided through the ITF Waiver meet the requirements for home and community-based settings and are compliant with the CMS rule. For this reason, no changes are needed to policies, regulations or waivers; no remediation strategies are necessary and no settings will be submitted for heightened scrutiny. OCDEL will continue to monitor waiver providers to ensure individuals continue to receive services in compliant settings. Ongoing monitoring for compliance is achieved through OCDEL's annual verification process that is completed by local programs utilizing standardized tools and procedures.

#### Office of Long-Term Living (OLTL)

Adult Daily Living services are designed to assist participants in meeting, at a minimum, personal care, social, nutritional and therapeutic needs. Adult Daily Living services are necessary, as specified by the service plan, to enable the participant to integrate more fully into the community and ensure the health, welfare and safety of the participant. This service will be provided to meet the participant's needs as determined by the assessment performed in accordance with Pennsylvania Department of Human Services (Department) requirements and as outlined in the participant's service plan. Adult Daily Living services are generally furnished for four or more hours per day on a regularly scheduled basis for one or more days per week, or as specified in the service plan, in a non-institutional, community-based center encompassing both health and social services needed to ensure the optimal functioning of the participant.

Employment Skills Development services provide learning and work experiences, including volunteer work, where the participant can develop strengths and skills that contribute to employability in paid employment in integrated community settings. Services are aimed at furthering habilitation goals that will lead to greater opportunities for competitive and integrated employment and career advancement at or above minimum wage. Employment Skills Development services are necessary, as specified in the service plan, to support the participant to live and work successfully in home and community-based settings, enable the participant to integrate more fully into the community and ensure the health, welfare and safety of the participant.

Support may be provided to participants for unpaid volunteer placement and training experiences, which may be provided in community-based settings. Volunteering is not an alternative to paid employment, but rather must be an avenue for building skills and connections that are expected to lead to competitive integrated employment. Volunteer placements used for the purpose of Employment Skills Development must be time-limited, and it must be documented in the service plan how the volunteer placement is expected to achieve the goal of competitive integrated employment. Skills development as a part of placement and training may occur as a one-to-one training experience or in a group setting in accordance with Department requirements.

Residential Habilitation Services are delivered in provider owned, rented/leased or operated settings. They can be provided in licensed and unlicensed settings. Licensed Settings are settings in which four or more individuals reside and are licensed as

Personal Care Homes (reference 55 PA Code Chapter 2600) or Assisted Living Residences (reference 55 PA Code Chapter 2800). Unlicensed settings are provider owned, rented/leased or operated settings with no more than three residents. Residential Habilitation services are provided for up to 24 hours a day. This service is authorized as a day unit. A day is defined as a period of a minimum of 8 hours of service rendered by a residential habilitation provider within a 24-hour period beginning at 12:00 am and ending at 11:59 pm. Residential Habilitation services are designed to assist an individual in acquiring the basic skills necessary to maximize their independence in activities of daily living and to fully participate in community life. Residential Habilitation services are individually tailored to meet the needs of the individual as outlined in the person-centered service plan.

Licensed settings serving individuals enrolled in the CHC Waiver may not exceed a licensed capacity of more than 8 unrelated individuals. Both licensed and unlicensed settings must be community-based as well as maintain a homelike environment. A home-like environment provides full access to typical facilities found in a home such as a kitchen and dining area, provides for privacy, allows visitors at times convenient to the individual, and offers easy access to resources and activities in the community. Residences are expected to be located in residential neighborhoods in the community. Participants have access to community activities, employment, schools or day programs. Each facility shall assure to each participant the right to live as normally as possible while receiving care and treatment. Home and Community character will be monitored by the CHC-MCOs through ongoing monitoring. Additionally, Service Coordinators will monitor the community character of the residence during regularly scheduled contact with residents. Results of this monitoring will be reported to OLTL. Service Coordinators assist participants in transitioning to homes of their own.

Structured Day Habilitation Services provide assistance with acquisition, retention, or improvement in self-help, socialization and adaptive skills. Structured Day Habilitation Services provide waiver participants comprehensive day programming to acquire more independent functioning and improved cognition, communication, and life skills. Activities and environments are designed to foster the acquisition of skills, appropriate behavior, greater independence, and personal choice as well as provide the supports necessary for mood and behavioral stability with therapeutic goals according to the written plan of care for the individual.

Structured Day Habilitation Services take place in small group settings. Services must be separate from the participant's private residence or other residential living arrangement. The provider must operate the Structured Day Habilitation Services for a minimum of four hours per day up to a maximum of eight hours per day on a regularly scheduled basis for one or more days per week or as specified in the participant's service plan. Services are not limited to a fixed-site facility. Structured Day Habilitation Services are distinguished from Adult Daily Living Services by the therapeutic nature of the program. Structured day habilitation services include the direct services provided by direct care staff and any supervision of the licensed care staff. The direct services must be personal care or directed toward the acquisition of skills. Structured Day Habilitation

services are not for the sole purpose of supervision and supervision of participants is not Medicaid reimbursable.